

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

MAJOR LEAGUE BASEBALL  
PROPERTIES, INC. and CHICAGO CUBS  
BASEBALL CLUB, LLC,

Plaintiffs,

v.

TOUSSIAINT STEVENS; STEVE RUSSELL;  
RICHARD JEKEL; HOWARD KADET;  
PETE GADBERRY; HARRY GIBSON,  
individually and d/b/a Offcenter Marketing;  
JASON ALSPAUGH, individually and d/b/a  
Chi Apparel; LARRY BOISSEAU; BYRON  
YABLON; JOHN YABLON; JOSE  
VILLAREAL; RAMON RIOS; RICHARD  
WELLS; DEESCO PERRIMAN, JR.;  
MICHAEL QUATRINE; RAYMOND  
MILLER; GARVIN WALKER; and DOES 1-  
30,

Defendants.

Civil Action No. 1:16-cv-09140

**MOTION FOR ENTRY OF DEFAULT AGAINST CERTAIN DEFENDANTS**

To the Clerk of Court:

Pursuant to Federal Rule of Civil Procedure 55(a), Plaintiffs move for entry of default judgment against Defendants Richard Jekel, Michael Quatrine, Raymond Miller, and Garvin Walker (the “Default Defendants”) for failure to answer or otherwise plead to the relevant and operative complaints in this action. In support of this Motion, Plaintiffs state as follows:

1. Plaintiffs commenced this action on September 22, 2016 by filing a Complaint against Defendants, through which Plaintiffs seek affirmative relief. *See* ECF 1. On September 26, 2016, Plaintiffs filed the First Amended Complaint. ECF 23. On October 14, 2016, the Court

granted Plaintiffs' request to file a Second Amended Complaint, ECF 57, and Plaintiffs' Second Amended Complaint was filed on October 18, 2016, ECF 58.

2. On October 6, 2016, the Court issued a First Extended *Ex Parte* Temporary Restraining Order and Seizure and Impoundment Order, which shortened the time for Default Defendants Quatrine and Miller to file an Answer and which stated, *inter alia*, that **"Defendants' answering papers, if any, shall be filed with the Clerk of this Court . . . before 4:00 p.m. on October 12, 2016."** ECF 44; ECF 47 ("First Extended Order") at 11 (emphasis added).

3. Default Defendants Quatrine and Miller were personally served with a copy of the Summons and the First Amended Complaint, along with a copy of the First Extended Order.

4. On September 14, 2016, the Court issued a Second Extended *Ex Parte* Temporary Restraining Order and Seizure and Impoundment Order, which shortened the time for Default Defendants Jekel and Walker to file an Answer and which stated, *inter alia*, that **"Defendants' answering papers, if any, shall be filed with the Clerk of this Court . . . before 4:00 p.m. on October 19, 2016."** ECF 50; ECF 63 ("Second Extended Order") at 12 (emphasis added).

5. Default Defendants Jekel and Walker were personally served with a copy of the Summons and the Second Amended Complaint, along with a copy of the Second Extended Order.

6. Plaintiffs filed Affidavits of Service for each of the Default Defendants. *See* ECF 51, 52, 60, 61.

3. Pursuant to the First Extended Order, Default Defendants Quatrine and Miller were required to serve an answer or otherwise plead to the First Amended Complaint on or before 4:00 p.m. on October 12, 2016, and pursuant to the Second Extended Order, Default Defendants Jekel and Walker were required to serve an answer or otherwise plead to the Second Amended Complaint on or before 4:00 p.m. on October 19, 2016.

4. To date, none of the Default Defendants has served an answer or any other responsive pleading to the relevant and operative complaints, nor has any counsel of record made an appearance on their behalf or otherwise contacted counsel for Plaintiffs.

5. Federal Rule of Civil Procedure 55(a) directs the clerk to enter default “[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend....”

WHEREFORE, Plaintiffs respectfully request that default be entered against Defendants Richard Jekel, Michael Quatrone, Raymond Miller, and Garvin Walker.

DATED: October 19, 2016

**RILEY SAFER HOLMES & CANCELLA LLP**

By: /s/ Brian O. Watson

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